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|---------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|----------------------------------------------------------------------|---------------------------------------------|
| <b>Application address</b><br>Barnhills Farm Merrylees Road Thornton Coalville<br>Leicestershire LE67 1AP                                                     |                                                          | <b>Planning ref.</b>                                                 | 24/00657/FUL                                |
|                                                                                                                                                               |                                                          | <b>Our ref.</b>                                                      | 2024/0657/04/F/R1                           |
| <b>Description</b><br>Erection of two storey childcare facility with<br>ancillary services and associated external play<br>areas and animal interaction areas |                                                          | <b>Consultation date</b>                                             | 25/09/2024                                  |
|                                                                                                                                                               |                                                          | <b>Response date</b>                                                 | 09/10/2024                                  |
| <b>Planning officer</b>                                                                                                                                       | Sullivan Archer                                          | <b>Reviewing officer</b>                                             | Jess Nobbs                                  |
| <b>Application type</b>                                                                                                                                       | Full                                                     | <b>Extension requested</b>                                           | <input type="checkbox"/>                    |
| <b>Refer to<br/>standing advice</b><br><input type="checkbox"/>                                                                                               | <b>Conditions</b><br><input checked="" type="checkbox"/> | <b>Further consultation<br/>required</b><br><input type="checkbox"/> | <b>Concerns</b><br><input type="checkbox"/> |

### Consultation checklist

| No. | Description                                                              | Check                               |
|-----|--------------------------------------------------------------------------|-------------------------------------|
| 1   | Location plan                                                            | <input checked="" type="checkbox"/> |
| 2   | Proposed layout plan                                                     | <input checked="" type="checkbox"/> |
| 3   | Evidence that the site can be drained                                    | <input checked="" type="checkbox"/> |
| 4   | Topographic and ground investigation details                             | <input checked="" type="checkbox"/> |
| 5   | The total impermeable area pre and post development                      | <input checked="" type="checkbox"/> |
| 6   | All potential flood risk sources have been identified and assessed       | <input checked="" type="checkbox"/> |
| 7   | Existing and proposed peak discharge rates                               | <input checked="" type="checkbox"/> |
| 8   | Consideration of sustainable drainage systems                            | <input checked="" type="checkbox"/> |
| 9   | Attenuation volume calculations                                          | <input checked="" type="checkbox"/> |
| 10  | Consideration of the maintenance and management of all drainage elements | <input checked="" type="checkbox"/> |

### LLFA Key Observations and Advice

Our response submitted on 04/09 (reference 2024/0657/04/F) remains the same and the below comments reflect that.

The QBar discharge rate for the site is 1.15 l/s however the FRA has highlighted that this would result in an orifice too small and would create a risk of blockage, therefore a discharge rate of 2 l/s has been proposed to mitigate this.

Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 1.4ha brownfield site is located across Flood Zone 1, 2 and 3 being at low, medium and high risk of

fluvial flooding and a low risk of surface water flooding. The proposals seek to discharge at 2 l/s via an attenuation tank to the adjacent Rothley Brook.

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Leicestershire County Council as Lead Local Flood Authority (LLFA) advises the Local Planning Authority (LPA) that the proposals are considered acceptable to the LLFA and we advise the following planning conditions be attached to any permission granted.

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### **Advised Conditions**

1. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details and completed prior to first occupation.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

2. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority. The construction of the development must be carried out in accordance with these approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase.

3. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.

4. No development approved by this planning permission shall take place until such time as infiltration testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy.

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### **Respective Condition Notes**

1. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations.

Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for event durations up to the 24 hour (or longer where required) for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods with results ideally showing critical details only for each return period.

2. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.
3. Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual property ownership. For commercial properties (where relevant), this should also include procedures that must be implemented in the event of pollution incidents.
4. The results of infiltration testing should conform to BRE Digest 365 Soakaway Design. The LLFA would accept the proposal of an alternative drainage strategy that could be used should infiltration results support an alternative approach. Where infiltration is deemed viable, proposed infiltration structures must be designed in accordance with CIRIA C753 "The SuDS Manual" or any superseding version of this guidance.

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## **Advice to the Local Planning Authority**

### **1. Standing Advice – National Planning Policy Framework**

When determining planning applications, the local planning authority should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where informed by a site-specific Flood Risk Assessment (FRA) confirming it will not put the users of the development at risk. Where an FRA is applicable this should be undertaken in accordance with the requirements of the National Planning Policy Framework and accompanying Planning Practice Guidance.

### **2. Standing Advice – Consent**

Where there are any works proposed as part of an application which are likely to affect flows in an ordinary watercourse or ditch, the applicant will require consent under Section 23 of the Land Drainage Act 1991. This is in addition to any planning permission that may be granted. Guidance on this process and a sample application form can be found via the following website: <http://www.leicestershire.gov.uk/flood-risk-management>

Applicants are advised to refer to Leicestershire County Council's culverting policy contained within the Local Flood Risk Management Strategy Appendix document, available at the above

link. No development should take place within 5 metres of any watercourse or ditch without first contacting the County Council for advice.

This consent does not consider local watercourse bylaws. It is the responsibility of the applicant to check if the local borough or district council has their own bylaws which the proposals will also need to consider.

### **3. Standing Advice – Maintenance**

Note that it is the responsibility of the Local Planning Authority under the DEFRA/DCLG legislation (April 2015) to ensure that a system to facilitate the future maintenance of SuDS features can be managed and maintained in perpetuity before commencement of the works.

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Additional information and guidance is available here:

<https://www.leicestershire.gov.uk/environment-and-planning/flooding-and-drainage/>

*Note: Response provided by the Lead Local Flood Authority under the delegated authority of the Director of Environment and Transport.*